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Attorneys for Defendant
Central Transport International, Inc.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN HOME ASSURANCE
COMPANY
a/s/o GENTEX CORPORATION

Plaintiff,

v.

CENTRAL TRANSPORT
INTERNATIONAL, INC.,

Defendant.

ECF CASE

NO. 07-CV-7930 (GBD)

**DECLARATION OF CHARLES L.
HOWARD IN SUPPORT OF
DEFENDANT'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

CHARLES L. HOWARD, duly admitted to practice law before this Honorable Court,
declares as follows:

1. I am a partner of the firm of Keenan Cohen & Howard, P.C., attorneys for the Defendant Central Transport International, Inc. ("CTI").
2. I am fully familiar with all the pleadings and proceedings herein and respectfully submit this declaration in support of Defendant's motion for partial summary judgment.
3. A true and accurate copy of the "Subrogation Receipt" executed by Plaintiff American Home Assurance's ("AHAC") insured Gentex Corporation ("Gentex") is annexed hereto as Exhibit A.

4. A true and correct copy of relevant excerpts from the James T. Nasso Deposition (“Nasso Deposition”) is annexed hereto as Exhibit B. AHAC designated Mr. Nasso to testify in response to a notice of deposition issued by CTI pursuant to Fed.R.Civ.P 30(b)(6).

5. A true and accurate copy of the “Bill of Lading” at issue herein is annexed hereto as Exhibit C.

6. Exhibit A was attached to the Nasso Deposition as Exhibit 6 thereto. Exhibit C was part of Mr. Nasso’s “claims file” which was marked in its entirety as Exhibit 4 to the Nasso Deposition.

7. A true and accurate copy of Exhibit 1 to the Nasso Deposition, which is a copy of CTI’s 30(b)(6) Deposition notice, is annexed hereto as Exhibit D.

8. A true and accurate copy of Sabre v. First Dominion Capital LLC, 2001 U.S. Dist. LEXIS 20637 (December 11, 2001 S.D.N.Y) is attached hereto as Exhibit E.

9. A true and accurate copy of CTI’s 30(b)(6) deposition notice is annexed hereto as Exhibit F.

KEENAN COHEN & HOWARD P.C.

By: /s/ Charles L. Howard
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Attorneys for Defendant
Central Transport International, Inc.

Dated: August 27, 2008

CERTIFICATE OF SERVICE

I, the undersigned counsel, hereby certify that on August 27, 2008, a true and correct copy of the foregoing Declaration of Charles L. Howard in Support of Defendant's Motion for Partial Summary Judgment was filed electronically. Notice of this filing will be sent to the following counsel, listed below, by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

James J. Ruddy Esquire
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By: /s/Charles L. Howard
Charles L. Howard